

REMARKS

Reconsideration of the application in light of the amendments and the following remarks is respectfully requested.

Applicants acknowledge the courtesy and effort extended by the Examiner to their attorney, Richard J. Katz, during a June 6, 2005 telephone interview. During the interview the cited reference, claim 1 and the Examiner's basis for rejection was discussed.

Status of the Claims

Claims 1-8 are pending. Claim 1 has been amended to place the language in proper idiomatic English, without narrowing the subject matter contained therein. No new matter has been added.

Rejection under 35 U.S.C. §103

Claims 1-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Interactive Layout Mechanisms for Image Database Retrieval*, John MacCuish, et al., SPIE 104-115, vol. 2656, January 1996 ("MacCuish") in view of U.S. Patent No. 6,219,053 to Tachibana et al. ("Tachibana"). Applicant respectfully traverses the rejection.

The Examiner contends that MacCuish discloses most of the features of claims 1-8. However, the Examiner acknowledges that MacCuish fails to disclose "the control means to select an arbitrary position on the display unit that upon selection displays or removes an icon related to a database element where its degree of dissimilarity to other icons corresponds with the distances between the icons," and further fails to disclose "the mutual positioning of icons on the display in concurrence with the dissimilarity of the elements from the database." (Detailed Action, item 4, page 2.) The Examiner cites Tachibana (column 2, lines 42-52, and column 1, lines 1-5, respectively) as disclosing those features acknowledged to be missing from MacCuish. The Examiner contends that it would have been obvious to a person of ordinary skill in the art to combine MacCuish and Tachibana to achieve the invention of claims 1-8.

In the Advisory Action dated May 20, 2005, the Examiner states that "Tachibana discloses selecting an arbitrary position on the display unit by allowing a user to select any arbitrary icon as the root and thus rearranging the node map."

Applicant submits that Tachibana requires the selection of arbitrary positions on the display unit provided that such arbitrary positions coincide with the icons that are actually displayed. In contrast, the invention of claim 1 permits selection of arbitrary positions that do not coincide with an icon already displayed. The control means displays or removes "an icon that relates to an element of the database and of which the degree of dissimilarity, in respect of the elements whose corresponding icons are displayed elsewhere on the display unit, corresponds with the distance taken up by the selected position in relation to the icons displayed elsewhere on the display unit."

As recited in claim 1, "the degree of dissimilarity, in respect of the elements whose corresponding icons are displayed elsewhere on the display unit, corresponds with the distance taken up by the selected position in relation to the icons displayed elsewhere on the display unit." In contrast, Tachibana discloses a display where an arbitrary icon may be selected as the root but the additional elements are not spaced apart based on the degree of dissimilarity. Rather, Tachibana discloses that the icons are simply spaced apart based on their separation in the hierarchical relationship, and that this separation is concentrically represented.

Applicant respectfully submits that MacCuish and Tachibana neither discloses nor suggests selecting any arbitrary position on the display unit to "allocate icons to the elements of the database . . . at mutual distances that depend on the elements' degree of dissimilarity . . . , as recited in claim 1. Therefore, the Examiner has failed to meet the burden of establishing a *prima facie* case of obviousness.

Independent claim 5 is directed to a method and recites steps which implement the novel features of claim 1 as discussed above. Applicant repeats the above arguments and submits that they define over MacCuish and Tachibana for the reasons stated above.

With respect to dependant claims 2-4 and 6-8, Applicant submits that these claims depend directly or indirectly from the independent claims discussed above and should be allowed at least for the same reasons discussed for their respective base claims.

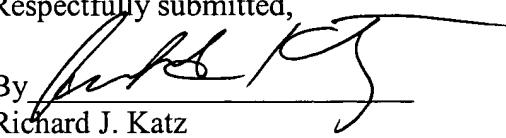
CONCLUSION

Each and every point raised in the Office Action dated January 4, 2005 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1-8 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: July 5, 2005

Respectfully submitted,

By 
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